



Uniform Complaint Procedures (UCP)

Monitoring Requirements Training for Agencies

Presented by staff from the
Categorical Programs Complaint Management (CPCM) Office

August 3–4, 2016, Hilda Solis High
August 10–11, 2016, Hiram Johnson High



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Uniform Complaint Procedures (UCP)

Today's Training:

- 40 minute discussion of the UCP
- 40 minute review of UCP documents for fictional agency



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Purpose

To gain an understanding of the following in relation to the UCP:

- Benefits of training
- Regulatory basis
- Impact of new laws
- Required evidence for the Federal Program Monitoring (FPM) process
- Implementation procedures and timelines
- Resources and contacts



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Benefits of UCP Training

- Agencies receive updated information regarding UCP monitoring
- The CDE provides technical assistance to Agencies
- Potential reduction of review monitoring findings



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Legal Requirements

Federal Laws

34 *Code of Federal Regulations*
(CFR),

Sections 299.10–299.12 &
Section 300.510–511



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Legal Requirements

California State Regulations and Laws

| | | |
|---|---|--|
| State Board of Education, 1991, 2014 | ↔ | <i>California Code of Regulations, Title 5 (5 CCR) sections 4600–4687</i> |
| Assembly Bill (AB) 3133 Sex Equity in Education Act, 1982, 1998, 2000 | ↔ | <i>Education Code (EC), sections 200, 220, 262.3</i> |
| AB 447 Education Code Supplemental Act, 1977 | ↔ | <i>EC, Section 48985</i> |
| Senate Bill (SB) 550 Williams Settlement, 2005 | ↔ | <i>EC, Section 35186</i> |
| AB 887 Gender Nondiscrimination Act, 2012 | ↔ | <i>Government Code, sections 11135, 11138 & Penal Code, Section 422.55</i> |
| AB 9 Seth's Law, 2012 | ↔ | <i>EC, sections 234 – 234.5</i> |
| AB 1575 Pupil Fees, 2012 | ↔ | <i>EC, sections 49010 – 49013</i> |
| AB 97 School Finance, 2014 | ↔ | <i>EC, Section 52075 (a-f)</i> |



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Legal Requirements

New California State Laws

Bills passed November 2015 that created Education Codes adding the UCP

| | | |
|--|---|--|
| SB 81 Adult Education | ↔ | EC, Section 52334.7 |
| AB 302 Pupil Lactating Services | ↔ | EC, Section 222 (f) |
| AB 379 Education of Foster and Homeless Youth | ↔ | EC, sections 48853, 48853.5, 49069.5, 51225.1, and 51225.2 |
| AB 1012 Course Periods without Educational Content | ↔ | EC, sections 51228.1, 51228.2, and 51228.3 |
| AB 1391 Physical Education Minutes | ↔ | EC, sections 51210 and 51223 |



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Legal Requirements

2016 – 2017 UCP Instrument

All legal requirements for
the UCP are included in
the annual UCP
Instrument.



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UCP Items

The six UCP items below meet the federal and state laws, statutes, and regulations:

UCP 1: Policies and Procedures

UCP 2: Annual Notice

UCP 3: Implementation

UCP 4: Williams Complaint Policies and Procedures

UCP 5: Williams Complaint Classroom Notice

UCP 6: Williams Complaint Form



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CDE Monitoring Tool (CMT)

- CMT is a Web-based tool which allows the monitoring of agencies to ensure that UCP program requirements are met.
- Must be a registered user of CDE's Centralized Authentication System (CAS)
- Agencies are provided access, training, and assistance
- General CMT questions may be directed to the FPM Office by contacting:

cmt@cde.ca.gov
916-319-0935



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UCP 1

Policies and Procedures

The Local Educational Agency (LEA) has adopted UCP policies and procedures for all specified programs, pupil fees violations, local control and accountability plan noncompliance, and providing civil rights guarantees.*

*CDE sample available



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UCP 2

Annual Notice

According to 5 *CCR*, Section 4622, the LEA annually notifies, in writing, its students, employees, parents/guardians, advisory committee members, private school officials, and other interested parties of the LEA's UCP process.*

*CDE sample available



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UCP 2 (Cont.)

Distribution of the UCP Annual Notice

Distribution of the UCP Annual Notice continues to be a UCP requirement.

The Distribution of the Annual Notice Form facilitates the recording of distribution information in a streamlined manner.

The use of the form is voluntary; however, agencies that do not upload form, must record the pertinent distribution information in a CMT comment.



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UCP 3

Implementation

The LEA must investigate and seek to resolve complaints, in accordance with the UCP procedures adopted by their governing board.*

*CDE sample available



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UCP 3 (Cont.)

Self-Certification Form for UCP 3

The CDE *Uniform Complaint*
Procedures Self-Certification Form for
UCP 3 is available for use only by
Agencies scheduled to have an **online**
Federal Program Monitoring review.



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UCP 4 – 6: Williams Complaints

- Added to the UCP in 2004
- Incorporates complaints about:

Instructional materials

Teacher vacancy or misassignment

The condition of a facility that is not
maintained in a clean or safe manner or in
good repair



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Changes to the Williams Complaint Documents

| | | |
|--|---|---|
| SB 347 the Valenzuela Settlement, 2008 | ⇔ | <i>EC</i> , sections 1240, 35186, 37254, 52378, and 52380 |
| AB 97 School Finance, 2014 | ⇔ | <i>EC</i> , Section 52075 |
| SB 172 CAHSEE suspended, 2016 | ⇔ | <i>EC</i> , sections 60640, 68051.5, 68051.6 |



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UCP 4

Williams Complaint Policies and Procedures

Agencies are required to have local policies and procedures that enable Williams complaints to be handled through their governing-board approved UCP process in accordance with 5 *CCR*, sections 4680-4687, to resolve Williams complaints.



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UCP 5

Williams Complaint Classroom Notice

The LEA provides a UCP process in accordance with 5 *CCR*, sections 4680-4687 to resolve Williams complaints by posting a Williams Complaint Classroom Notice notifying parents/guardians, pupils, and teachers in each classroom in each school in each district regarding alleged deficiencies.*

*CDE sample available



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UCP 5 (Cont.)

Self-Certification Form for UCP 5

The CDE *Williams Complaint Self-Certification Form for UCP 5* is for **online reviews** only. It certifies that an agency posted their Williams Complaint Classroom Notice in every classroom in every school in the district.



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UCP 6

Williams Complaint Form

The Williams Complaint Form must be available at all school sites in the school office, the district office, and/or on the agency Web site.*

*CDE sample available



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Acceptable Evidence

| | | |
|-------|--|---|
| UCP 1 | Policies and Procedures | For on-site and online reviews: One set of the local governing board-approved UCP Policies and Procedures (may be in the form of 2 separate documents) |
| UCP 2 | Annual Notice | For on-site and online reviews: (1) One UCP Annual Notice in English – sample formats: flyer, handbill, leaflet, brochure, pamphlet (a second sample in another language is acceptable) AND (2) the Distribution of the UCP Annual Notice |
| UCP 3 | Implementation | On-site reviews – no upload required, investigation files reviewed onsite Online reviews – (1) UCP Complaint Log [if agency received one or more UCP complaints in the previous 12 months] AND (2) Self-Certification Form for UCP 3 |
| UCP 4 | Williams Complaint Policies and Procedures | For on-site and online reviews: One set of the local governing board-approved Williams Complaint Policies and Procedures |
| UCP 5 | Williams Complaint Classroom Notice | For on-site and online reviews: One sample Williams Complaint Classroom Notice in English (a second sample in another language is acceptable) For online reviews: LEA Self-Certification Form for UCP 5 |
| UCP 6 | Williams Complaint Form | For on-site and online reviews: One sample Williams Complaint Form in English (a second sample in another language is acceptable) |



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Monitoring Deadlines

Before the FPM review:

The Agency uploads
documents 30 calendar days
before the first day of
scheduled review



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Monitoring Deadlines (Cont.)

During the FPM review:

The Agency may upload additional documents no later than the day before the last day of a review.

- On-site: 5 p.m.
- Online: 1 p.m.



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Monitoring Deadlines (Cont.)

- **After the FPM review**, any resolution documents from the Agency are due 45 calendar days from the last day of the review
- When the Agency submits resolution documents, the assigned CPCM consultant responds within 5 calendar days



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Monitoring Deadlines (Cont.)

- If the Agency cannot submit resolution documents in 45 calendar days, the Agency can request a **Resolution Agreement**, which the CPCM consultant will approve or deny within 5 calendar days



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Resources and Contacts

- UCP Brochure and Sample Documents:
<http://www.cde.ca.gov/re/cp/uc/>
- Compliance Monitoring Information:
<http://www.cde.ca.gov/ta/cr/>
- Categorical Programs Complaints Management (CPCM) Office: 916-319-0929